IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION

CHAMBER SUMMONS NO. 1490 OF 2004

IN

NOTICE OF MOTION NO. 2202 OF 2004

IN

TESTAMENTARY SUIT NO. 17 OF 1984

IN

TESTAMENTARY PETITION NO. 12 OF 1983

Harshadrai Jethalal Shah & Anr. .. Plaintiffs

Versus

1A.Mrs. Vasundra Raje Nimbalkar & Ors.Defendants

And

Bhavesh Nareshchandra Amin & Ors. Respondents

And

Manish K Patil & Anr. Applicants

Mr. Virag Tulzapaurkar i/b. Mr. P.C.Mankad for the Applicants.

CORAM: S.K.SHAH,J.

DATE: 14h October, 2004.

P.C.

1. The present Chamber Summons is for bring the legal representatives of the deceased Defendant No.1 who died on 30th August, 2004.

2. The Chamber Summons is made absolute in terms of prayers (a) and (b). Prayers (a) and (b) read as under :-

"(a) That Mrs. Vasundra Raje nimbalkar and Mrs. Kumidini or Kumidhavti Raje V. Desai and Defendant No.2 abovenamed be brought on record as legal heirs and representatives to represent the estate of deceased Defendant No.1 as Defendant No.1A and 1B respectively.

(b) That the applicants be permitted to prosecute Mrs. Vasundra Raje Nimbalkar and Mrs. Kumidini or Kumidhavti Raje V. desai and Defendant No.2 as the only heirs and legal representatives of deceased Defendant No.1, in their capacity as representatives of the estate of deceased Defendant No.1."

Amendment to be carried out within one week from today.

(S.K. SHAH, J.)